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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,487	07/16/2003	Ara Dionysian	03-12180	2498

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EXAMINER

KYLE, MICHAEL J

ART UNIT PAPER NUMBER

3676

DATE MAILED: 12/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/621,487

Applicant(s)

DIONYSIAN, ARA

Examiner

Michael J Kyle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/16/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. Claim 2 is objected to because of the limitations “one or more stays”. Examiner believes that “stays” should be --stops--. Examiner cites the specification of the instant application, page 4, lines 13-14, where “stops” are described as securing the first and second leaf members to the shaft.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Frey (U.S. Patent No. 1,034,008). With respect to claims 1, 10, 11, 13, 16 and 17, Frey discloses a hinge system comprising a shaft (10), and first (1) and second (2) leaf members rotationally coupled to the shaft (10), where the first and second members each include an oblique edge (15 and 16, respectively), such that a horizontal force is translated into a vertical and horizontal force, wherein the vertical force moves one member (1) vertically with respect to the other member (2, see relative positions of members 1 and 2 in figures 1 and 5).

4. With respect to claims 2-4, 12, 15, and 18, Frey discloses two stays, or stops, (12) coupled to the shaft, a door coupled to one of the members (1), a frame coupled to the other member (2), and the first leaf member (1) includes a first cylindrical portion (13), and a door

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coupling portion (flat leaf portion of 1, with fastening holes, shown in figure 1), adjacent and coupled to the first cylindrical portion.

5. With respect to claims 5-7, Frey discloses the first leaf member (1) to include a top stay edge (see figures 3 and 6, upper flat portion of 13 that contacts 14, left side of figure 3) adjacent to the oblique edge and a bottom stay portion (see figures 3 and 6, lower flat portion of 13 that contacts 14, right side of figure 3) adjacent to the oblique edge. Additionally, Frey show the first leaf member to include a generally vertical edge (outer surface of 13, in the vertical direction) adjacent the oblique edge. Furthermore, Frey's second leaf member includes a second cylindrical portion (14) and a frame coupling portion (flat, leaf portion of 2, with fastening holes, see figure 1).

6. With respect to claims 8 and 9, Frey discloses the second leaf member to comprise a top stay edge (top flat portion of 14, contacting 13, left side of figure 3) and a bottom stay edge (lower flat portion of 14, contacting 13, right side of figure 3). Frey further discloses a generally vertical edge (outer surface of 14, in vertical direction) adjacent to the oblique edge (16).

7. With respect to claim 14, Frey discloses the force of gravity to be translated into a vertical and horizontal force to return the hinge to closed position (page 1, lines 80-86).

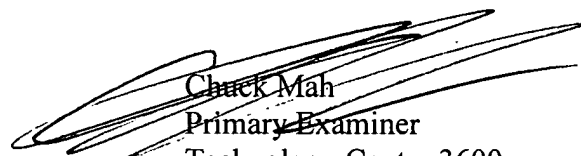
Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following references are cited to further show the state of the art with respect to self closing door hinges: Hartman, Gronek, Toms et al, Roberts, Colucci, and Foltz.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J Kyle whose telephone number is 703-305-3614. The examiner can normally be reached on Monday - Friday, 8:30 am - 5:00 pm.
10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann, can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mk


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